



Entered on Docket  
March 23, 2011

*Bruce A. Markell*

Hon. Bruce A. Markell  
United States Bankruptcy Judge

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Attorney for Secured Creditor, Wells Fargo Bank, N.A., as Trustee for First Franklin Mortgage Loan Trust 2004-FF2, its assignees and/or successors and the servicing agent OCWEN LOAN SERVICING, LLC

**UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

In re: ) Case No. 08-20079-BAM

Jay Jack Dana, ) Chapter 11

Debtor

) **ORDER DISMISSING CASE**

Secured Creditor, WELLS FARGO BANK, N.A., AS TRUSTEE FOR FIRST FRANKLIN MORTGAGE LOAN TRUST 2004-FF2, Motion to Dismiss Chapter 11 bankruptcy case under the provisions of 11 U.S.C. § 1112 (the "Motion") came on for hearing before the

1 Court at 9:00 a.m. on March 15, 2011. Christopher M. Hunter, Esq., of McCarthy & Holthus,  
2 LLP, appeared on behalf of Secured Creditor and Debtor appeared pro se. The Court having  
3 considered the moving papers, its own files, and the arguments of the parties and good cause  
4 appearing finds that the Secured Creditor has established cause for dismissal under 11 U.S.C. ¶  
5 1112(b)(1) in that Debtor has not complied with orders of this Court and has failed to confirm a  
6 plan within the timeframe established by the Court. In addition, Debtor has failed in his  
7 opposition to establish a probability that a plan will be confirmed within a reasonable time.  
8

9  
10 Accordingly, the Court hereby

11 ORDERS that the Motion to Dismiss is granted without prejudice and the above  
12 referenced chapter 11 bankruptcy case is hereby dismissed.  
13

14 IT IS SO ORDERED.  
15

16 Submitted by:  
17 McCarthy & Holthus, LLP

18 /s/Christopher M. Hunter  
19 Christopher M. Hunter, Esq.  
20 9510 West Sahara Avenue, Suite 110  
21 Las Vegas, NV 89117  
22 702-685-0329

23 Mailed 3/16/11

24 DEBTOR  
25 Jay Jack Dana  
26 3830 Topaz Street  
27 Las Vegas, NV 89121  
28  
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ALTERNATIVE METHOD re: RULE 9021:

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

☐ The court has waived the requirement set forth in LR 9021(b)(1).

☐ No party appeared at the hearing or filed an objection to the motion.

☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: None

Unrepresented parties appearing: Debtor-failed to respond

Trustee: None

☐ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order.

Submitted by:  
McCarthy & Holthus, LLP

/s/Christopher M. Hunter  
Christopher M. Hunter, Esq.

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